

Exhibit 2

From: [Robert M. Lefland](#)
To: [Joshua B. Katz](#)
Cc: [Rose Chivattoni](#); [Jack A. Gordon](#); [Luis Calvo](#)
Subject: RE: Holland v. Matos et. al. - 18-cv-6697 (KMK)
Date: Wednesday, February 13, 2019 3:29:54 PM
Attachments: [image005.png](#)
 [image006.png](#)
 [image002.png](#)

Dear Mr. Katz:

I'm not sure how you can "require" an agreement, confidentiality, protective, call it what you will. We asked for documents based upon what you and your client have put in issue and believe that we are entitled to them without limitation. And a motion to compel [putting aside that you did not move for a protective order] would fall under the heading of what's good for the goose....

I think that a court conference will be more productive.

Best regards,



Robert M. Lefland

Senior Counsel

Jacobowitz & Gubits, LLP

158 Orange Avenue

Walden, NY 12586

[845] 778-2121 ext 262

Fax [845] 778-5173

rml@jacobowitz.com

From: Joshua B. Katz [mailto:jbk@kgb-law.com]
Sent: Wednesday, February 13, 2019 2:28 PM
To: Robert M. Lefland
Cc: Rose Chivattoni; Jack A. Gordon; Luis Calvo
Subject: RE: Holland v. Matos et. al. - 18-cv-6697 (KMK)

Yes, I am aware that you copy and pasted our responses and objections. As Luis advised you below, we require a standard protective order before producing our documents. Since you say that you don't need a protective order, please produce your documents now or we will have to file a motion to compel.

From: Robert M. Lefland [mailto:rml@Jacobowitz.Com]
Sent: Wednesday, February 13, 2019 2:20 PM

To: Joshua B. Katz <jbk@kgb-law.com>; Luis Calvo <LFC@kgb-law.com>
Cc: Rose Chivattoni <rmc@Jacobowitz.Com>; Jack A. Gordon <jag@kgb-law.com>
Subject: RE: Holland v. Matos et. al. - 18-cv-6697 (KMK)

With all due respect, my responses were as responsive as yours.
If what you want to do is pick a date to exchange documents, we can do that as well.



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From: Joshua B. Katz [<mailto:jbk@kgb-law.com>]
Sent: Monday, February 11, 2019 5:40 PM
To: Luis Calvo; Robert M. Lefland
Cc: Rose Chivattoni; Jack A. Gordon
Subject: Re: Holland v. Matos et. al. - 18-cv-6697 (KMK)

When are you going to produce responsive documents?

From: Robert M. Lefland <rml@Jacobowitz.Com>
Sent: Monday, February 11, 2019 5:20:41 PM
To: Luis Calvo
Cc: Rose Chivattoni; Jack A. Gordon; Joshua B. Katz
Subject: RE: Holland v. Matos et. al. - 18-cv-6697 (KMK)

Mr. Calvo:

Yes, I have heard from my clients. They are firmly against a protective order. Again, I fail to see what is so in need of protection here.

My Rule 26 responses were filed. My responses, which were mailed, to your discovery demand were of a kind with your responses; they are essentially repetitions of what was proffered by your good office.

A conference with the Judge in White Plains might be useful. I have 2 trials coming up in the next five weeks so late March would be good.

In light of the anticipated snow storm, I expect that my office will be closed on Tuesday.
Best regards,



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From: Luis Calvo [<mailto:LFC@kbg-law.com>]

Sent: Monday, February 11, 2019 5:06 PM

To: Robert M. Lefland

Cc: Rose Chivattoni; Jack A. Gordon; Joshua B. Katz

Subject: RE: Holland v. Matos et. al. - 18-cv-6697 (KMK)

Mr. Lefland:

According to your email, you contacted your clients regarding the Protective Order. Please advise if they have responded or had comments to the Protective Order. We are prepared to produce documents as soon as the Protective Order is finalized.

We have not received any discovery from your clients. Please advise when we can expect to receive it.

If we do not hear from you by tomorrow at the close of business, we will move to compel document production and to resolve the issues regarding the Protective Order.

Regards,

Luis F. Calvo

From: Robert M. Lefland [<mailto:rml@Jacobowitz.Com>]

Sent: Friday, February 08, 2019 11:38 AM

To: Luis Calvo <LFC@kbg-law.com>

Cc: Rose Chivattoni <rmc@Jacobowitz.Com>; Jack A. Gordon <jag@kbg-law.com>; Joshua B. Katz <jbk@kbg-law.com>

Subject: RE: Holland v. Matos et. al. - 18-cv-6697 (KMK)

Mr. Calvo:

I was at a funeral on Wednesday and am playing catch up now. You have received the Rule 26 responses and well as my response to your discovery demand. I have attempted to contact my clients to speak about the confidentiality agreement and trust I will hear from them soon. Insofar as substantive comments about the agreement, I responded. I do not at the present time see a need for one. I anticipate that there will be items that will need to be the subject of full and open discussion and exploration. Worrying about disclosing secrets in this type of normal business litigation is not something I anticipate. If you feel the need to involve the court, such is your choice.

Best regards,



Robert M. Lefland

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From: Luis Calvo [<mailto:LFC@kgb-law.com>]
Sent: Wednesday, February 06, 2019 2:47 PM
To: Robert M. Lefland
Cc: Rose Chivattoni; Jack A. Gordon; Joshua B. Katz
Subject: RE: Holland v. Matos et. al. - 18-cv-6697 (KMK)

Mr. Lefland,

As you know, the parties agreed to exchange discovery responses by last Wednesday, January 30th. To date, defendants have not responded to plaintiff's discovery requests.

Similarly, we have not received any substantive comments to the draft Protective Order which we sent to you on January 28th.

If we do not receive a response from you on these outstanding items by Friday at 5pm, we will seek

the Court's intervention.

Regards,
Luis Calvo

From: Luis Calvo
Sent: Thursday, January 31, 2019 10:09 AM
To: 'Robert M. Lefland' <rml@Jacobowitz.Com>
Cc: Rose Chivattoni <rmc@Jacobowitz.Com>; Jack A. Gordon <jag@kgb-law.com>; Joshua B. Katz <jbk@kgb-law.com>
Subject: RE: Holland v. Matos et. al. - 18-cv-6697 (KMK)

Mr. Lefland,

Aside from the usual reasons, a Protective Order is essential because your clients have opened, and continue to operate, a competing business and this case involves sensitive financial and business records directly relating to those ventures.

Also, please provide Defendants' responses to Plaintiff's document demands. We agreed to exchange them by yesterday, January 30th, but we have yet to receive Defendants' responses from your office.

Regards,
Luis

From: Robert M. Lefland [<mailto:rml@Jacobowitz.Com>]
Sent: Thursday, January 31, 2019 9:58 AM
To: Luis Calvo <LFC@kgb-law.com>
Cc: Rose Chivattoni <rmc@Jacobowitz.Com>; Jack A. Gordon <jag@kgb-law.com>; Joshua B. Katz <jbk@kgb-law.com>
Subject: RE: Holland v. Matos et. al. - 18-cv-6697 (KMK)

Mr. Calvo:

I will be filing the Rule 26 discovery response later today and I appreciate your indulgence. I have reviewed the protective order and have a question: why? I know the usual reasons but why, particularly in this case, do we need a protective order?



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rml@jacobowitz.com

From: Luis Calvo [<mailto:LFC@kgb-law.com>]

Sent: Monday, January 28, 2019 3:43 PM

To: Robert M. Lefland

Cc: Rose Chivattoni; Jack A. Gordon; Joshua B. Katz

Subject: RE: Holland v. Matos et. al. - 18-cv-6697 (KMK)

Mr. Lefland,

In anticipation of this Wednesday's discovery deadline, attached please find a draft Protective Order. If you have no objections, please return a signed copy via email.

As you know, you agreed to provide Defendants' Rule 26 Disclosures to us by last Friday, January 25th. We have not received any disclosures from you. Please send an electronic version of Defendants' Rule 26 Disclosures to us via email as soon as possible.

Thank you,
Luis Calvo

From: Robert M. Lefland [<mailto:rml@Jacobowitz.Com>]

Sent: Saturday, January 05, 2019 12:51 PM

To: Luis Calvo <LFC@kgb-law.com>

Cc: Rose Chivattoni <rmc@Jacobowitz.Com>

Subject: Re: Holland v. Matos et. al. - 18-cv-6697 (KMK)

Very much appreciated.
Robert M Lefland

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Luis Calvo <LFC@kgb-law.com>

Date: 1/4/19 8:22 PM (GMT-05:00)

To: "Robert M. Lefland" <rml@Jacobowitz.Com>
Subject: Re: Holland v. Matos et. al. - 18-cv-6697 (KMK)

Bob,

We're not seeking to disrupt any vacation plans, but need to be clear as to what our mutually agreeable deadlines are.

We are amenable to an extension until January 25th for the Rule 26 disclosures so long as we keep the remaining discovery exchange dates as agreed.

Enjoy your trip.

Luis

On Jan 4, 2019, at 7:54 PM, Robert M. Lefland <rml@jacobowitz.com> wrote:

In the spirit of cooperation, I trust that you will extend my time as I will be out of the country.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Luis Calvo <LFC@kgb-law.com>
Date: 1/4/19 6:34 PM (GMT-05:00)
To: "Robert M. Lefland" <rml@Jacobowitz.Com>
Subject: RE: Holland v. Matos et. al. - 18-cv-6697 (KMK)

Mr. Lefland,

Per the attached email, we agreed to exchange Rule 26(a) disclosures on January 4, 2019 and discovery responses and document production by January 30, 2019.

From: Robert M. Lefland [<mailto:rml@Jacobowitz.Com>]
Sent: Friday, January 04, 2019 5:25 PM
To: Luis Calvo <LFC@kgb-law.com>
Subject: Re: Holland v. Matos et. al. - 18-cv-6697 (KMK)

The mandatory responses.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Luis Calvo <LFC@kgb-law.com>
Date: 1/4/19 4:17 PM (GMT-05:00)
To: "Robert M. Lefland" <rml@Jacobowitz.Com>
Subject: RE: Holland v. Matos et. al. - 18-cv-6697 (KMK)

Mr. Lefland,

Please clarify to which responses you are referring?

From: Robert M. Lefland [<mailto:rml@Jacobowitz.Com>]
Sent: Friday, January 04, 2019 3:18 PM
To: Luis Calvo <LFC@kgb-law.com>
Cc: Rose Chivattoni <rmc@Jacobowitz.Com>; Jack A. Gordon <jag@kgb-law.com>;
Joshua B. Katz <jbk@kgb-law.com>
Subject: RE: Holland v. Matos et. al. - 18-cv-6697 (KMK)

I am leaving for vacation Sunday morning Jan 6, returning to the office Jan 16; I trust that you will not object to my providing responses by the end of January.

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